

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHWESTERN DIVISION

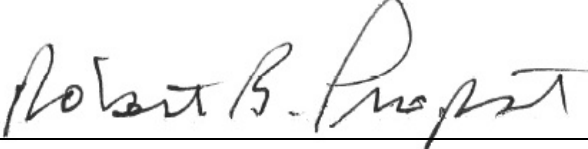
TWYLA MILES,)	
)	
Plaintiff,)	
)	
v.)	CV-09-RRA-0108-NW
)	
WAL-MART STORES EAST, L.P.,)	
)	
Defendant.)	

Memorandum Opinion

Before the court is the plaintiff's motion to remand. (Doc. 3.) On April 16, 2009, the magistrate recommended that the motion to remand be denied. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. An appropriate order will be entered.¹

DONE this 13th day of May, 2009.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE

¹This case is distinguishable from *Burns v. Windsor Ins. Co.*, 31 F.3d 1092 (11th Cir. 1994) in that the complaint does not state a specific amount. Further, there have been no objections to the Report and Recommendation.